

## MEMORANDUM

**DATE:** June 7, 2011  
**TO:** Policy Committee  
**FROM:** Christopher Johnson, Principal Planner  
**SUBJECT:** Commercial Districts, Ordinance Changes

---

Staff presented a framework to the Policy Committee in January 2011 for revisions to the commercial districts (LB, B-1, M-1 and M-2) as well as the special use permit triggers for certain commercial uses (Sect. 24-11) and Development Review Committee triggers (Sect. 24-147). As a reminder, topics discussed at that meetings included a review of the Business Climate Task Force report findings, the two previous amendments to the list of specially permitted uses in the commercial districts, the sustainability audit recommendations, infill development, performance standards, and commercial SUP and DRC triggers. At that meeting, the Policy Committee generally concurred with staff's recommended amendments. The Committee suggested that staff consider a more nuanced approach to changes to commercial SUP and DRC review triggers and provide the opportunity for flexibility to the application of the triggers by location, parcel size, or another measure. The Committee also recommended that staff examine the list of permitted and specially permitted uses in each of the four commercial districts.

Following that meeting, the Board of Supervisors held a work session in February 2011 to discuss ordinance sections previously determined to be priority items in the ordinance update process. Commercial districts are one of the four topics identified as a priority by the Board of Supervisors. The Board discussed the role and mission of the DRC as a body that evaluates development cases administratively and the benefits of the newly adopted enhanced conceptual plan review process. The Board and staff discussed changes to triggers for legislative review, including specific types of uses and buildings size thresholds that may impede development in the County. Discussion was held on the potential loss of commercial development due to a negative cost-benefit of locating in James City County as opposed to finding an alternative location. The majority of the Board expressed support for moving forward with staff's recommendations.

Since these meetings, staff has examined the administrative and legislative development review process in surrounding jurisdictions as well as the list of permitted and specially permitted uses in the four commercial districts. Staff has also worked to identify ways to incorporate the recommendations provided by the consultant as part of the sustainability audit.

Staff requests the Policy Committee offer comment on the attached draft ordinances prior to the Board of Supervisors work session on June 28th.

### Attachments:

1. Draft ordinance, Section 24-11, Commercial Special Use Permits
2. Draft ordinance, Section 24-147, Development Review Committee Criteria
3. Draft ordinance, Article 5, Division 9, Limited Business District, LB
4. Draft ordinance, Article 5, Division 10, General Business District, B-1
5. Draft ordinance, Article 5, Division 11, Limited Business/Industrial District, M-1
6. Draft ordinance, Article 5, Division 12, General Industrial District, M-2